



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

August 25, 2015

Mr. Issac Gaston
Site Selection Specialist
320 First Street NW
Washington, D.C. 20534

SUBJECT: Proposed United States Penitentiary and Federal Prison Camp, Letcher County, Kentucky Final Environmental Impact Statement (FEIS); CEQ No.: 20150204

Dear Mr. Gaston:

Consistent with our responsibilities under Section 309 of the Clean Air Act and Section (102)(2)(c) of the National Environmental Policy Act (NEPA) of 1969, the U.S. Environmental Protection Agency (EPA), Region 4 Office has reviewed the above FEIS for the proposed United States Penitentiary and Federal Prison Camp, Letcher County, Kentucky.

The Federal Bureau of Prisons ('Bureau') has prepared this FEIS to evaluate the environmental impacts of site acquisition and development of the proposed United States Penitentiary (USP) and Federal Prison Camp (FPC) in Letcher County, Kentucky. The proposed action is to acquire the property and construct a new USP, FPC, ancillary facilities and access roads. The purpose of the proposed federal correctional facility in Letcher County, Kentucky, is to develop additional high-security and medium-security facilities to increase capacity for current inmate populations in the Mid-Atlantic Region based on an identified need for additional bed space. The Bureau has determined that there is a need for additional high-security and medium-security facilities within this region to reduce the demonstrated overcrowding that compromises the mission of the Bureau. The FEIS analyzes the direct, indirect, and cumulative impacts of the No Action Alternative, two build alternatives, Alternative 1-Payne Gap and Alternative 2-Roxana. Alternative 2-Roxana has been identified as the Bureau's preferred alternative as it meets the purpose and need for the project and reduces impacts to the environment. The Bureau considered climate, topography, geology, soils, water, biological and cultural resources, air quality, noise, land use and zoning, socioeconomics, traffic and transportation, recreation, utilities, and hazardous substances in its evaluation.

The EPA notes the analysis provided in Section 8.1.4 of the FEIS Proposed Action on page 8-2 and it contains an update to Table 8-2. - Estimated GHGs (Greenhouse Gas Emissions) from Construction Activities at Roxana Site - and included in the Table the CO₂e (metric tons per year/Carbon dioxide equivalent) clarification which was not included in the DEIS.

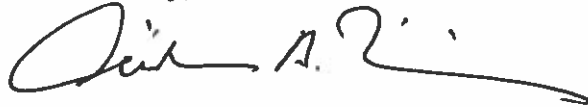
The EPA recommends that the Record of Decision (ROD) for this proposed project include a brief discussion concerning the consistency with the Council on Environmental Quality's (CEQ's) *Final NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions*. The discussion should reiterate the rationale as to why this proposed

project will not exceed the threshold criteria of 25,000 metric tons per year of Greenhouse Gas Emissions identified in the guidance and/or mitigation measures that are being considered by the Bureau that will not require a more detailed analysis that is compliant with the CEQ final guidance. The EPA notes the estimate of 8,012 metric tons of CO₂e for the preferred alternative in Table 8-2 that the Bureau provided in the FEIS.

The EPA acknowledges the responses to our Draft Environmental Impact Statement (DEIS) comments dated March 30, 2015, which are included in Appendix E of the July 2015 FEIS. The EPA also supports your implementation and continuous monitoring, as much as possible, of the comments, suggestions and environmental concerns regarding this project as proposed. The Bureau should take the appropriate and reasonable measures that ensure the adequate protection to human health and the environment during the construction of this proposed project.

The EPA requests a copy of the ROD when it becomes available. If you have any questions, please contact Mr. Rafael Santamaria of my staff at 404-562-8376 or at santamaria.rafael@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris A. Militscher", with a long horizontal flourish extending to the right.

Christopher A. Militscher
Chief, NEPA Program Office
Resource Conservation and Restoration Division

cc: A. Totten, EPA-HQ
P. Tsolkas, HRDC